

1:30 P.M.

Jeff Brain	Mayor
Leon DeWeese	Council Member
Robert Vinyard	Council Member
Charles Gillingham	Council Member
Marvin Dickson	Council Member

Wanda Klause	City Manager
Eddie Edwards	Asst. City Manager
Larry Mullenix	Director, Planning & Zoning
Glynn Carlock	Director of Finance
Jimmy Adams	Chief of Police
Danny Richards	EOC Coordinator
Ted Dodd	Director of Public Works
Bruce Roberts	Captain, Borger PD
Ralph Earles	Assistant to Director, Public Works

Judy Mihm
Darion Thompson **Bethel Baptist Church**

Michelle Berry Borger News Herald

PAYMENT OF EXPENDITURES APPROVED: Following review, motion was made by

Council Member DeWeese, seconded by Council Member Dickson, to approve payment of the expenditures for the last half of July as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**INTERLOCAL AGREEMENT BETWEEN TML INTERGOVERNMENTAL
EMPLOYEE BENEFITS POOL AND THE CITY OF BORGER APPROVED:**

Assistant City Manager Eddie Edwards explained the City's history with TML-IEBP. Edwards advised the Council that TML-IEBP has been the City's choice for health care benefits for employees for over 25 years. During all of these years, TML-IEBP has operated exclusively with political subdivisions in the State of Texas. The TML-IEBP Board of Trustees has approved changes in the language of the Agreement that governs the relationship with at risk participating members. These changes will allow TML-IEBP to expand its services as a third party administrator to other risk pools and/or political subdivisions of other states. The intent is to expand membership to a level that will allow greater discounts and lower costs for covered medical services. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Vinyard, to approve the Interlocal Agreement between TML-IEBP and the City of Borger as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**ORDINANCE NO. O-005-09 PERTAINING TO HEALTH CARE BENEFITS FOR
RETIRED CITY EMPLOYEES INTRODUCED:**

Assistant City Manager Eddie Edwards explained Ordinance No. O-005-09 pertaining to the cost of healthcare for retired city employees. Edwards explained that currently a city retiree (under the age of 65 years) who chooses to remain on the same plan as active employees through the Texas Municipal League Intergovernmental Employees Benefits Pool, can do so at 195% of the cost of that of an active employee. Most retirees cannot afford the increase in cost; thus, they retire without health insurance. This change will cost the City of Borger approximately \$4,200 per year. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to introduce Ordinance No. O-005-09 on first reading. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

**RESOLUTION NO. R-010-09 APPROVED MAKING ONE APPOINTMENT TO
CANADIAN RIVER MUNICIPAL WATER AUTHORITY BOARD OF DIRECTORS:**

Kent Satterwhite, General Manager, CRMWA, submitted a letter stating that the term of Glendon Jett, who represents Borger on the Board of Directors, expires on July 31, 2009. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Vinyard, to approve Resolution No. R-010-09 appointing Glendon Jett to a two year term on the CRMWA Board of Directors. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None

The resolution reads as follows:

RESOLUTION NO. R-010-09

WHEREAS, the City Council of this City heretofore elected Glendon Jett as a member of the Board of Directors of the Canadian River Municipal Water Authority for the term ending July 31, 2009, pursuant to the provisions of Chapter 242 of the Laws passed by the Regular Session of the Texas Legislature in 1953, as amended, and

WHEREAS, such office has now become vacant by reason of expiration of term, and

WHEREAS, in the performance of its duty to do so under said Law, this City Council desires to officially elect a person qualified to fill the vacancy occasioned as aforesaid, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS:

1. That Glendon Jett, a qualified voter and a property owning taxpayer of the City of Borger who is not a member of the governing body or an employee of said City, be and is hereby elected to the Board of Directors of the Canadian River Municipal Water Authority for the term beginning August 1, 2009 and ending July 31, 2011.
2. The director elected as aforesaid shall be certified to the Board of Directors of the Canadian River Municipal Water Authority by the Mayor of this City and shall otherwise qualify in the manner prescribed by the above mentioned law relating to said Authority.

RESOLUTION NO. R-011-09 APPROVED: Director of Utilities Jim Harder advised the Council that State law and TCEQ rules require all public water systems to create and maintain a Drought Contingency Plan every five years. Harder said that Resolution No. R-011-09 indicated

that a review of the Borger Municipal Water System Drought Contingency Plan had been conducted according to all applicable rules, and no revisions to the Plan were recommended at this time. Following discussion, motion was made by Council Member Dickson, seconded by Council Member DeWeese, to approve Resolution No. R-011-09 pertaining to the Borger Municipal Water System's Drought Contingency Plan. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None

The resolution reads as follows:

RESOLUTION R-011-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS, REVIEWING THE DROUGHT CONTINGENCY PLAN AS REQUIRED BY TITLE 30, TEXAS ADMINISTRATIVE CODE

WHEREAS, the City Council of the City of Borger recognizes that the amount of water available to its water utility customers is limited and subject to depletion during periods of extended drought; and,

WHEREAS, the City Council of the City of Borger recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and,

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and,

WHEREAS, as required under law, and in the best interests of the customers of the Borger Municipal Water System, the City Council deemed it expedient and necessary by adopting Ordinance O-015-99 to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies; and,

WHEREAS, as required under law, the Drought Contingency Plan as adopted by Ordinance O-015-99 was revised and updated by Ordinance O-007-05;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS:

SECTION 1. That, the Drought Contingency Plan attached hereto as Exhibit "A", and made part hereof for all purposes, is hereby reviewed as required by Title 30, Texas Administrative Code, Chapter 288, Subchapter B (288.20) (c), and continues to be the official policy of the Borger Municipal Water System for drought contingency planning.

SECTION 2. That, the Mayor, or his/her designee continues to be authorized and directed to implement, administer, and enforce the Borger Municipal Water System's Drought Contingency Plan.

SECTION 3. That, this resolution shall take effect immediately upon its passage.

PASSED, APPROVED, AND ADOPTED, on this the 4th day of August, 2009, at a regular meeting of the City Council of the City of Borger, Texas which meeting was held in compliance with the Open Meetings Act, Tex Gov't Code, §551.001, et.seq. at which meeting a quorum was present and voting.

MEETING ADJOURNED: There being no further business, motion was made by Council Member Dickson, seconded by Council Member Gillingham, to adjourn the meeting. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Mayor

ATTEST:

City Manager